

Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

DEVAL L. PATRICK  
Governor

RICHARD K. SULLIVAN JR.  
Secretary

KENNETH L. KIMMELL  
Commissioner

February 24, 2014

Kent Gonzales  
Northland Moody Street LLC  
2150 Washington Street  
Newton, MA 02462

**RE: BRPWP74 – Public Notice Letter for  
Moody & Main on the Common  
Transmittal No. X257528**

Dear Mr. Gonzales:

Enclosed herewith is the public notice information for your sewer system connection permit application, which you submitted to the Department of Environmental Protection, in accordance with the requirements of 314 CMR 2.00 and 314 CMR 7.09. The Department has reviewed your application for completeness and has made a tentative determination to issue, with conditions. A draft sewer connection permit is also enclosed with this letter. The Department's determination is subject to the public notice process.

In accordance with 314 CMR 2.06(4) and M.G.L. c.30A, the applicant or permittee, as applicable, shall publish public notice of this MassDEP sewer connection permit proceeding in *The Environmental Monitor*, a publication of the Massachusetts Executive Office of Energy and Environmental Affairs. The public notice with the required information is attached for your use. For instructions on filing this notice with MEPA please refer to MEPA's website at <http://www.env.state.ma.us/mepa/submittingnotices.htm>

The applicant or permittee shall submit to the Department a copy of the public notice as published in the *Environmental Monitor*, within seven days after the date of publication, and the applicant shall provide the publication date. This information should be sent to the attention of Kevin Brander at the above letterhead address. The mandatory thirty day public comment period

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TDD# 1-866-539-7622 or 1-617-574-6868

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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will commence with the date of publication of the public notice. It is in the applicant's interest to publish the notice and forward the proof of publication to the Department as soon as possible to avoid delays in processing your application.

If you have any questions concerning this matter please contact me at 978-694-3236.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Brander", written in a cursive style.

Kevin Brander, P.E.

Bureau of Resource Protection

Enclosure

cc: Steve Casazza, City of Waltham DPW Director  
Karen Staffier, VHB  
Sandra Rabb, MassDEP/Boston

**NOTICE: THIS IS NOT A PERMIT. SEWER CONSTRUCTION MAY NOT  
COMMENCE WITHOUT A CURRENTLY VALID PERMIT ISSUED BY THE  
DIRECTOR.**

PUBLIC NOTICE  
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
METROPOLITAN BOSTON/NORTHEAST REGIONAL OFFICE  
BUREAU OF RESOURCE PROTECTION  
WATER POLLUTION CONTROL  
205B LOWELL STREET  
WILMINGTON, MASSACHUSETTS 01887  
TEL (978) 694- 3200

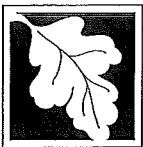
Pursuant to Chapter 21, Section 43 of the General Laws, and Regulations 314 CMR 7 and 2.06, notice is given of the following application for sewer connection permit and the action the Department proposes to take:

CITY/TOWN OF: WALTHAM  
PROJECT NAME: MOODY & MAIN ON THE COMMON  
APPLICANT: NORTHLAND MOODY STREET LLC  
LOCATION: ONE MOODY STREET  
PURPOSE: SEWER CONNECTION FOR MIXED USE DEVELOPMENT  
TRANSMITTAL NO: X257528  
PROPOSED ACTION: TENTATIVE DETERMINATION TO ISSUE

The above application and the draft permit, along with applicable laws, regulations and procedures are available for inspection at the above address. Comments on the proposed action or a request for a public hearing on the proposed action must be received at the above address within thirty days of this notice.

Kevin Brander

Bureau of Resource Protection



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Sewer Connections/Extensions

**BRP WP 55, 71, 74**

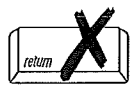
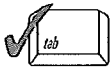
**Application for Permit for Sewer System Extension,  
Connection, or Industrial Wastewater**

DEP Use Only:

X 257528  
Permit Number

WALTHAM  
Town

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



The original of the transmittal form and this application, signed by the appropriate municipal official, should be submitted along with one copy to the appropriate Regional Office. The signature of the design engineer or other agent will be accepted only if accompanied by a letter of authorization. A copy of the transmittal form and fee (if applicable) should be submitted to the Boston Office.

If connection is to be made to the MWRA sewerage system, indicate "MWRA" in item 11.

If the project includes sewers, pumping stations, force mains, or siphons, construction plans must be submitted with the application.

If additional space is required to properly answer any questions, please attach additional sheets and refer to the attachments in the space provided.

**A. Applicant Information**

1. Name and Address of Applicant:

Northland Moody Street LLC

Name

2150 Washington Street

Street address

Newton

City/Town

(617) 965-7100

Telephone Number (include area code and extension)

02462

Zip Code

kgonzales@northland.com

2. Name of Sewer System Owner:

Engineering, Water, Sewer & Drain Department

Name

City of Waltham

Municipality or Sewer District

Waltham Engineering Department

Department

**B. Project Information**

1. Type of Project: ☐ Sewer Extension ☒ Sewer Connection ☐ Industrial Connection

2. Number of Residences to be served:

269

3. Number of Bedrooms:

389

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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Sewer Connections/Extensions

**BRP WP 55, 71, 74**

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**B. Project Information (Continued)**

4. Industrial establishment to be served:

a. N/A  
Name  
  
Address  
  
Type of Establishment  
  
Design Flow

5. Design Flow:

Sewage	<u>52,944</u> Gallons per day
Industrial Wastes	<u>0</u> Gallons per day
Total	<u>52,944</u> Gallons per day

6. Location, Length, Size and Capacity of Sewers to be Connected to the existing system (attach sketch):

a. Connection at Moody Street - See Attached Plans  
Name of Street  
463 Lf on Site      8" PVC      Q = 1.55 CFS  
Length of Sewer      Size of Sewer      Flow Full Capacity

b.  
Name of Street  
  
Length of Sewer      Size of Sewer      Flow Full Capacity

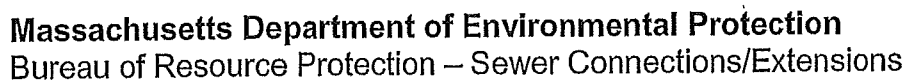
c.  
Name of Street  
  
Length of Sewer      Size of Sewer      Flow Full Capacity

7. Location, Length, Size and Capacity of Pumping Stations to be Connected to the existing system:

a. N/A  
Pump Station Location  
  
Number of Pumps      Pump Size      Pump Capacity

b.  
Pump Station Location  
  
Number of Pumps      Pump Size      Pump Capacity

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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Sewer Connections/Extensions

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**B. Project Information** (continued)

12. Do the wastewaters receive any pretreatment prior to discharge?

☐ Yes ☒ No

If yes, provide detailed description.

13. List, in descending order of significance, the four (4) digit standard industrial classification (SIC) Codes which best describe the facility producing the discharge in terms of the principal products for services provided. Also, specify each classification in words.

SIC Code

Specify

6029 - Commercial Banks, 5812 - Eating Places, 5399 - Misc. General  
Merchandise Stores

14. Is the Proposed Discharge Consistent with Existing Sewer Use Regulations?

☒ Yes ☐ No

15. Is there a site of historic or archeological significance, as defined in regulations of the Massachusetts Historical Commission, 950 CMR 71.00, which is in the area affected by the proposed extension or connection?

☐ Yes ☒ No

16. Does this project require a filing under 301 CMR 11.00, the Massachusetts Environmental Policy Act?

☐ Yes ☒ No

If yes, has a Filing been made?

☐ Yes ☐ No

17. Name and Address of Mass. Registered Professional Engineer Designing Proposed System:

Karen F. Staffier

Name

101 Walnut Street

Street

Watertown, MA

City/Town

(617) 924-1770

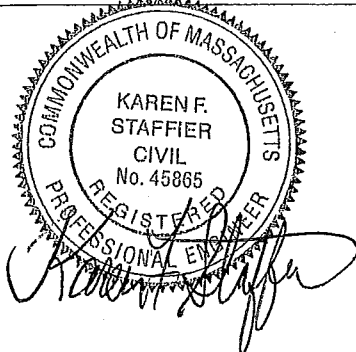
Telephone Number

02472

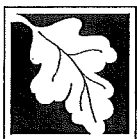
Zip Code

45865

Mass. P.E. Number



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**C. Certification**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment of knowing violations."

(I will be responsible for publication of public notice of the applicable permit proceedings identified under 314 CMR 2.06(1)(a) through (d).)

G. KENT GONZALES

Printed Name of Applicant

Senior Development Manager

Title

[Signature]  
Signature of Applicant

Date Signed

9.24.13

Karen F. Staffier

Name of Preparer

Project Manager

Title

(617) 924-1770

Phone Number

**D. General Conditions**

**1. General Conditions**

a. All discharge authorized herein shall be consistent with the terms and conditions of this permit and the approved plans and specifications. The discharge of any wastewater at a level in excess of that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for in Section 42 of the State Act.

b. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- (1) Violation of any terms or conditions of the permit;
- (2) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and
- (3) A change in conditions or the existence of a condition which requires either a temporary or permanent reduction or elimination of the authorized discharge.

c. In the event of any change in control or ownership of facilities from which the authorized discharges originate, the permittee shall notify the succeeding owner or operator of the existence of this permit by letter, a copy of which shall be forwarded to the Director. Succeeding owners or operators shall be bound by all the conditions of this permit, unless and until a new or modified permit is obtained.

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**D. General Conditions (continued)**

d. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges; nor does it authorize or relieve the permittee of any liability for any injury to private property or any invasion of personal rights; nor any infringement of Federal, State, or local laws or regulations; nor does it waive the necessity of obtaining any local assent required by law for the discharge authorized herein.

e. The provisions of this permit are severable, and the invalidity of any condition or subdivision thereof shall not make void any other condition or subdivision thereof.

f. All information and data provided by an applicant or a permittee identifying the nature and frequency of a discharge shall be available to the public without restriction. All other information (other than effluent data) which may be submitted by an applicant in connection with a permit application shall also be available to the public unless the applicant or permittee is able to demonstrate that the disclosure of such information or particular part thereof to the general public would divulge methods or processes entitled to protection as trade secrets in accordance with the provisions of M.G.L. c.21, s.27(7). Where the applicant or permittee is able to so demonstrate, the Director shall treat the information or the particular part (other than effluent data) as confidential and not release it to any unauthorized person. Such information may be divulged to other officers, employees, or authorized representatives of the Commonwealth or the United States Government concerned with the protection of public water or water supplies.

g. Transfer of Permits

(1) Any permit issued pursuant to these regulations is valid only for the person to whom it is issued, unless prior to transfer:

(a) The current permittee notifies the Department at least 30 days in advance of the proposed transfer date; and

(b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibilities and liability to the new permittee.

2. Special Conditions

Sewer connection in Moody Street  
is subject to City Ordinance 16-32  
Infiltration and Inflow Mitigation  
Fee.

SEE ATTACHED DEP/DWPC SPECIAL CONDITIONS

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Massachusetts Department of Environmental Protection  
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DEP Use Only:

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Town

**E. Approval Recommended**

Signature and Title of appropriate Municipal Official:

Stephen A. Casazza, PE

Printed Name of Official

City Engineer

Title

Stephen A. Casazza

Signature

781-314-3830  
Phone Number

Jan. 31, 2014  
Date Signed

**DEP Use Only**

\_\_\_\_\_  
Date Issued

\_\_\_\_\_  
Regional Sewer Permits Coordinator

\_\_\_\_\_  
Effective Date of Permit

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SPECIAL CONDITIONS

PERMIT NO. X257528

1. This permit authorizes discharge of up to 52,944 gallons per day (GPD) of new wastewater flow from the Moody & Main on the Common project in Waltham, MA.
2. As an element of this project, the permittee shall comply with the requirements of the "Covenant and Agreement to provide inflow & infiltration (I&I) sewer mitigation to the City of Waltham", and shall remove 211,777 gallons of I&I to offset the impacts of the new wastewater flows being generated.
3. The project shall be constructed according to the plans received by the Department on February 6, 2014, unless otherwise directed by this permit. The plans consisted of seven (7) sheets identified as follows:

Title: MOODY & MAIN ON THE COMMON

Location: MOODY STREET AT MAIN STREET

Municipality: WALTHAM

Applicant: NORTHLAND MOODY STREET LLC

Engineer: KAREN STAFFIER, P.E.

Date: SEPTEMBER 24, 2013

Any deviation from the approved plans shall require review and approval from the Department.

4. Sewers shall be kept remote from public water supply wells or other potable water supply sources and structures. Wherever feasible, sewers shall be laid at a minimum of 10 feet, horizontally, from any existing or proposed water main. Should local conditions prevent a lateral separation of 10 feet to a water main the water main shall be laid in a separate trench and the elevation of the crown of the sewer placed at least 18 inches below the invert of the water main.
5. Whenever sewer must cross under water mains, the sewer shall be laid at such an elevation that the crown of the sewer is at least 18 inches below the invert of the water main. When the elevation of the sewer cannot be varied to meet this requirement, the water main shall be relocated to provide this separation or constructed with mechanical-joint pipe for a distance of 10 feet on each side of the sewer. One full length of water main shall be centered over the sewer so that both joints will be as far from the sewer as possible.

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6. Solid, gasketed and lockable manhole covers shall be used in areas designated as a buffer zone of any wetlands or in any area designated as a 100-year flood plain.
7. All sewer piping and/or structures crossing within the buffer zone (100) feet of any wetlands shall be built using watertight construction methods and materials.
8. All sewer piping and/or structures crossing under or within 100 feet of any surface waterbody or stormwater impoundment shall be built using watertight construction methods and materials.
9. The construction of the proposed sewer project shall be completed within five (5) years of the date of issue of this permit.
10. An application for a permit renewal shall be submitted in a timely manner if construction of the proposed sewer project will extend beyond the five (5) year period as indicated in Special Condition No. 9.
11. Any transfer of this permit in whole or in part shall be in accordance with 314 CMR 7.13.
12. The permittee shall comply with all requirements from the City of Waltham in the design and construction of the sewer extension.
13. Permittee shall provide notice to and obtain approval from the Massachusetts Water Resources Authority (MWRA) and the local plumbing inspector for installation of the proposed gas/oil separator for the parking facility.
14. Flows from food preparation facilities shall be conveyed to a grease trap prior to discharge to the sewer. Grease traps shall have a minimum capacity of 1,000 gallons, unless otherwise approved by the City of Waltham. Grease traps shall be properly maintained, and shall be pumped at least quarterly.